

STATE OF NEW HAMPSHIRE

PROBATE COURT

PROCEDURE BULLETIN 3

RELATIVE TO: Failure to Pay Initial Filing Fee

This procedure bulletin is prepared for informational purposes in processing case files. It is not intended to provide parties with legal advice.

When a petition is filed in the probate court, and the sender (the petitioner or the attorney for the petitioner) either fails to pay or makes a partial payment of the required initial filing fee, the probate court will:

1. Enter the petition or motion into the case management system; and
2. Notify the sender of the failure to pay or partial payment of the required initial filing fee, the amount required to effect payment in full, and the requirement for payment in full within 30 days from the date of the register's letter.

No probate court will take any further action to process the petition unless the required filing fee is paid in full within the 30-day waiting period or is excused for indigency. If the required filing fee is not paid in full by the end of the 30-day waiting period, the probate court will dismiss the petition without prior notice to the sender. Any partial filing fee payment made by the sender is forfeited.

The filing fee will include the entry fee and any publication costs.

Last Reviewed: August 1, 2007

_____/s/ David D. King
David D. King
Administrative Judge of Probate Court

History:

Revised August 1, 2007

Effective August 1, 2001

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